

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS,
EASTERN DIVISION**

CARMEN FLORES, individually and on behalf)	
of all others similarly situated,)	
)	
)	
Plaintiff,)	No. 07 C 6403
)	
v.)	Judge William Hibbler
)	Magistrate Judge Valdez
DIAMOND BANK, FSB)	
)	
Defendant.)	

FORM 35 REPORT OF THE PARTIES' PLANNING MEETING

1. Pursuant to Fed. R. Civ. P. 26(f), the below attorneys had a meeting on a schedule for discovery in this matter.

Lance A. Raphael
The Consumer Advocacy Center, P.C.
180 West Washington
Suite 700
Chicago, IL 60602
Counsel for the Plaintiff

Mark D. Belongia
Belongia & Shapiro, LLP
53 W. Jackson Blvd, Suite 315
Chicago, IL 60604
Counsel for the Defendant

2. The parties have already exchanged the information required by Fed. R. Civ. P. 26(a)(1).

3. The parties propose the following discovery plan:

Discovery will be needed on the following subjects:

- (a) The transaction logs for the ATMs at issue;
- (b) The procedures Defendant uses to comply with the Act; and

(c) Discovery on any defenses raised by the Defendant.

All fact discovery to be completed by **August 11, 2008**

Maximum number of interrogatories by each party: Per FRCP

Maximum number of requests for admission: Per FRCP

Maximum number of depositions by each party: Per FRCP

Parties' Reports from retained experts under Fed. R. Civ. P. 26(a)(2) due: **September 29, 2008.**

Depositions of the Parties' retained experts by: **October 27, 2008**

Reports of the Parties' Rebuttal Experts by: **November 24, 2008**

Depositions of the Parties' Rebuttal experts by: **December 22, 2008**

Supplementations under Fed. R. Civ. P. 26(e) due: **August 11, 2008**

4. Other items:

The parties request a conference with the Court before entry of the scheduling order.

The parties request a pretrial conference on **December 29, 2008.**

Plaintiff and Defendants should be allowed until **June 23, 2008** to amend the pleadings and join additional parties.

All dispositive motions should be filed by: **September 15, 2008**

Settlement may be enhanced by use of the following alternative dispute resolution procedure: **a settlement conference after the close of fact discovery.**

Final lists of witnesses and exhibits under Rule 26(a)(3) should be due from Plaintiff and Defendant by **December 22, 2008.**

The case should be ready for trial in **January 2009** and is expected to take 4 days.

Dated: March 27, 2008

By: /s/ Lance A. Raphael

Lance A. Raphael

The Consumer Advocacy Center, P.C.

180 West Washington, Suite 700
Chicago, Illinois 60602
Counsel for Plaintiff

Dated: March 27, 2008

By: /s/ Mark D. Belongia
Mark D. Belongia
Belongia & Shapiro, LLP
53 W. Jackson Blvd, Suite 315
Chicago, IL 60604
Counsel for Defendant